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Attorneys for Defendants  
City of Walnut Creek; Walnut Creek Police Sergeant Ryan  
Hibbs; Walnut Creek Police Officer Lee Herrington; Walnut  
Creek Police Officer Adams; and Walnut Creek Police Officer  
Ashley Roskos

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

PAUL ALFRED SINCERNY,  
  
Plaintiff,  
  
vs.  
  
City of Walnut Creek, et al.,  
  
Defendants.

Case No. C17-02616 HSG

**STIPULATION AND ORDER TO  
SCHEDULE A CASE MANAGEMENT  
CONFERENCE**

Dept: Ctrm 2-4<sup>th</sup> Flr. (Oakland)  
Judge: Hon. Haywood S. Gilliam Jr.

The PARTIES, by and through their respective attorneys of record, hereby stipulate to the following:

- WHEREAS the parties attended a hearing on Defendants' Motion to Dismiss Plaintiff's First Amended Complaint held in front of Your Honor on March 29, 2018, and informed the Court about the upcoming Early Neutral Evaluation (ENE) on April 12, 2018.
- WHEREAS at the end of the hearing on Defendant's Motion to Dismiss Plaintiff's First Amended Complaint, Your Honor ordered the parties to notify the Court on April 13<sup>th</sup>, following the ENE on April 12, 2018, as to whether the matter resolved or not as if it did not resolve, Your Honor agreed that a further Case Management Conference should be scheduled to discuss the status of the current deadlines in this matter

3. WHEREAS the parties attended an ENE on April 12<sup>th</sup> which did not resolve this matter.
4. WHEREFORE good cause has been shown to set a Further Case Management Conference in this matter at 2:00 p.m. on either May 1<sup>st</sup>, May 22<sup>nd</sup>, (June 5<sup>th</sup> Plaintiff's counsel is out of the country), June 26<sup>th</sup> or on another date convenient to this Court.

**IT IS SO STIPULATED.**

The parties attest that concurrence in the filing of these documents has been obtained from each of the other Signatories, which shall serve in lieu of their signatures on the document.

Dated: April 13, 2018

HELBRAUN LAW FIRM

By: /s/ Helbraun, David M

David M. Helbraun, Attorney for Plaintiff  
Paul Alfred Sincerny

Dated: April 13, 2018

MCNAMARA, NEY, BEATTY, SLATTERY,  
BORGES & AMBACHER LLP

By: /s/ Blechman, Noah G.

Noah G. Blechman  
Attorneys for Defendants  
City of Walnut Creek; Walnut Creek Police Sergeant  
Ryan Hibbs; Walnut Creek Police Officer Lee  
Herrington; Walnut Creek Police Officer Adams; and  
Walnut Creek Police Officer Ashley Roskos

**ORDER**

PURSUANT TO THE PARTIES' STIPULATION, IT IS HEREBY ORDERED AS FOLLOWS:

A Further Case Management Conference in this matter is hereby set for May 1, 2018, at 2:00 p.m. in Courtroom 2, 4<sup>th</sup> Floor, Northern District Court, Oakland. The parties also ordered to file a Further Joint Case Management Conference Statement one week prior to that hearing.

**IT IS SO ORDERED.**

Dated: April 16, 2018

By: Haywood S. Gilliam, Jr.  
Hon. Haywood S. Gilliam, Jr.  
U.S. District Court Judge